

# Neighborhood News

**Recently, the owner of property known as “Village H” installed a gate restricting access to the land at the corner of Carlsbad Village Drive and Victoria Avenue.** Since several neighbors have asked the city about the gate and the future use of this property, we are sending this update to residents of Calavera Hills and the surrounding neighborhoods.

## Who owns this property?

The property is owned by a company called the Thompson Corp. Although the city does not own this property, it does control the future use of the land through zoning and other land use laws.

## Why can the property owner install gates restricting access?

Property owners have the right to restrict access to their property. The new property owner put up fences and no trespassing signs in April and more recently installed gates. Often property owners restrict access to property for liability reasons.

## Isn't the trail on the property part of the city trail system?

The trail is designated as a future part of the citywide trail system, but is not an official city trail at this time. It is currently shown on the city trails map with a dashed line, meaning it has been identified as a future trail.

## When will it become a city trail?

When the property owner submits plans called a “minor subdivision map,” the city would acquire the “public trail easement” at that time, making the trail officially open to the public as part of the citywide trail system.

## Why is the trail on the north side of Carlsbad Village Drive open?

The north part of Village H has a formal trail easement recorded when mapping was done by McMillin in 2007, and this is why there is a formal trail and trail improvements on the north side of Carlsbad Village Drive.

## Can the city buy the property and make it open to the public?

Since more than 94 percent of the site is already set aside as open space, the Carlsbad City Council did not feel purchasing the property to preserve the city's open space would be a responsible use of taxpayer money. The property had been nominated in 2006 for city acquisition to the Proposition C Open Space Committee by both the previous property owner (Calavera Hills II LLC) and neighbors.

## Can the city help open the trail?

**The city recognizes the importance of this trail to the community and is working with the property owner to find a solution.**

The owner has expressed interest in working with the city for an interim use agreement that might allow for public trail use sooner than the normal process for creating a city trail. The city and the property owner are working out the details for how such an interim public use agreement for the trail would be implemented.

The city is hopeful that an agreement can be reached, but ultimately needs to respect the rights of private property owners to make decisions about use of their land, so long as it complies with the city's laws.

City of Carlsbad  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

## VILLAGE H UPDATE

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## How can the property be developed?

All but about 6 percent of the site will remain open space. The ultimate development of the property must be consistent with the existing master plan and zoning for the area:

- The northern portion of Village H is already included in the city's Habitat Management Plan Hardline Preserve and under a conservation easement for open space preservation and management in perpetuity to the Center for Natural Lands Management.
- South of Carlsbad Village Drive is a mixture of uses and zoning:
  - The only development that may occur on the property is a community facilities land use (such as a daycare, place of worship or senior center) on the 3.2 acre site south of Carlsbad Village Drive.
  - 2.3 acre existing Calavera Hills Master HOA RV storage area.
  - 18.5 acres of master plan open space, containing some native habitat eucalyptus trees and non-native grasses.
  - Existing master plan trail and future citywide trail.

For more information, please call  
**760-602-4623.**

